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4 IN THE UNITED STATES DISTRICT COURT
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6 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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8 IN RE: UBER TECHNOLOGIES, INC.,
9 PASSENGER SEXUAL ASSAULT
10 LITIGATION

Case No. 23-md-03084-CRB

11 This Document Relates to:

12 *Jaylynn Dean v. Uber Techs., Inc.*,
N.D. Cal. No. 23-cv-06708
D. Ariz. No. 25-cv-4276

[PROPOSED] ORDER GRANTING
PLAINTIFF'S MOTION CONCERNING
TRIAL WITNESSES

13 Having considered Plaintiff's Motion to Preclude Uber from Cherry-Picking Corporate
14 Trial Witnesses and From Calling at Trial Late-Disclosed Witnesses, the Court hereby **GRANTS**
15 the motion and **ORDERS** as follows:

- 16 1. Uber must produce Gus Fuldner, Katy McDonald, and Sunny Wong to testify live at the
17 *Dean* trial, or will be precluded from offering live testimony from any current or former
18 Uber employee, contractor, or consultant outside the subpoena power of the Court.
- 19 2. Within 24 hours, Uber must either inform Plaintiffs that Mr. Fuldner, Ms. McDonald, and
20 Mr. Wong will be made available for trial, or serve a revised witness list that excludes live
21 testimony from any current or former Uber employee, contractor, or consultant outside the
22 subpoena power of the Court.
- 23 3. Due to Uber's failure to timely disclose Todd Gaddis or Chad Dobbs as witnesses, and
24 such nondisclosures being neither substantially justified nor harmless, Mr. Gaddis and Mr.
25 Dobbs may not testify live in the *Dean* trial.

26 **IT IS SO ORDERED.**

27 Dated: _____

28 Hon. Charles R. Breyer
United States District Judge